

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARCO MAESTRINI

**Plaintiff(s),**

No. C 07-2941 PJH

v.

## **ORDER OF DISMISSAL**

## CITY AND COUNTY OF SAN FRANCISCO,

**Defendant(s).**

The court having been advised by Magistrate Judge Chen following a settlement conference, that the parties have agreed to a settlement of this case.

15 IT IS HEREBY ORDERED that this case is dismissed **without** prejudice; however,  
16 if any party hereto shall certify to this Court, with proof of service of a copy thereof to the  
17 opposing party, within one hundred and twenty (120) days from the date of this order, that  
18 the agreed consideration for said settlement has not been delivered over, the foregoing  
19 order shall stand vacated and this case shall forthwith be restored to the Court's calendar  
20 to be set for trial.

If no certification is filed, after passage of the one hundred and twenty (120) days,  
the dismissal shall be **with** prejudice.

23 || IT IS SO ORDERED.

24 | Dated: May 4, 2009

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**PHYLLIS J. HAMILTON**  
United States District Judge